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C O N F I D E N T I A L SECTION 01 OF 02 ISTANBUL 001359

SIPDIS

DEPARTMENT FOR EUR/SE

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TAGS: [PGOV](#) [PHUM](#) [PREL](#) [TU](#) [OSCE](#)

SUBJECT: ECUMENICAL PATRIARCHATE RAISES SPECIFIC CONCERNS  
ABOUT THE ATTITUDE OF TURKISH AUTHORITIES

REF: A. ISTANBUL 1199

[1](#)B. ISTANBUL 1333

Classified By: Acting Consul General Stuart Smith for reasons 1.4 (b) a  
nd (d)

[1](#)1. (C) In a July 11 meeting with Charge (ref A), Ecumenical Patriarch Bartholomew offered to share with us upon his return the points discussed during his July 11-12 discussions in Brussels with EU officials, including European Commission President Jose Manuel Barroso and EU Enlargement Commissioner Ollie Rehn. Stressing that the Patriarch supported Turkey's EU candidacy during his visit to Brussels, Metropolitan Meliton of Philadelphia, Bartholomew's primary advisor, provided the following document to poloff during an August 4 meeting, responding to poloff's mention of the Patriarch's offer:

[1](#)2. (C) Text of Ecumenical Patriarchate document:

RESTRICTIONS IMPOSED ON THE ECUMENICAL PATRIARCHATE AND  
ORTHODOX CHRISTIAN MINORITY OF TURKEY

- Refusal to recognize the Ecumenical Patriarchate as a legal entity, forcing it to operate in a legal vacuum. Without legal standing, the Patriarchate cannot own property (including the actual patriarchal cathedral in operation since 1601 and its administrative offices) and enjoy or otherwise invoke any of the legal protections available to other Turkish institutions, under Turkish law.

- Refusal to recognize the ecumenical title of the Patriarchate: a historic and symbolic title (dating back to the 6th Century AD) bestowed upon every single head of the Greek Orthodox Patriarchate of New Rome, Constantinople and Istanbul. The universal spiritual competence of the Ecumenical Patriarchate is acknowledged by all religious and political communities, including the European Union. Instead Turkey regards the Ecumenical Patriarch as a simple pastor of a small group of some 2,000 to 3,000 Greek Orthodox living in Turkey.

- Denial of the right of the Orthodox Christians with Turkish citizenship (as well as the other non-Muslim minorities) to train their clergy and personnel in Turkey. The world-renowned Theological School of Chalki (sic) prepared the Orthodox religious ecclesiastical leadership from 1844 until 1971 when it was closed down.

- Interference and restrictions in the process of patriarchal elections often impeding the smooth and canonical succession in the leadership of the patriarchal Throne. The decree of 1923 of the prefecture of Istanbul and the document of 1970 imposed severe impediments in this respect, barring prelates of non-Turkish nationality (those serving in the European, American and Australian dioceses of the Ecumenical Patriarchate) to participate in the electoral process.

- Severe restrictions on the ownership and confiscations of religious properties belonging to the Greek Orthodox community (as well as the rest of the non-Muslim minorities).

In 1936 there were about 8000 properties registered as officially owned by the Greek Orthodox minority. As a result of systematic expropriation, confiscations etc. the Greek Orthodox communal property decreased to 1818 (1312 in Istanbul and 506 in the islands of Gokceada/Imbros and Bozcaada/Tenedos) in 2002-2003. Today, of these only around 600 are recognized by the state authorities as belonging to the Greek Orthodox minority.

- Denial since 1936 of the right of the Greek Orthodox religious foundations to purchase and inherit properties. With a Supreme Court decision of May 1974 (which stated that "the purchase of property by non-Muslim minority foundations is hazardous to the country") all real property (approximately 1300) acquired by the minority foundations from 1936 onwards were expropriated.

- Confiscation of the Patriarchal Orphanage of Buyukada even though this community foundation belonged to the Greek Orthodox since 1902 and the Turkish Government issued a title

of deed in the name of the Patriarchate in 1929. According to a Supreme Court decision of 2004, the Patriarchate, lacking legal personality, could not own property. As a result the orphanage along with its considerable immovable property was appropriated by the Turkish State.

- Transfer of Greek Orthodox religious foundations to those directly administered by the Turkish authorities when the minority population decreases in certain parts of Istanbul. They are placed in the category of "seized" (mazbut) foundations and their properties are directly administered by Turkish commissioners (kayyum), nominated by the General Directorate of Foundations. Meanwhile, their non-Muslim administrative committees are dissolved and are deprived of the minority status guaranteed by the Treaty of Lausanne (Around 18 Greek Orthodox minority communities and their properties in Istanbul, Imbros and Tenedos were validated as "seized" religious foundations since the 1960s).

- Establishment of an antagonistic state-protected "Turkish Orthodox Patriarchate" run by an excommunicated former priest and his family. Despite the fact that this "Church" never acquired a following, the Papa Eftim family has forcefully occupied four Greek Orthodox churches in Galata, as well as their property. Furthermore, no Christian Church recognizes this so call "Patriarchate."

- The long-awaited new law of Foundations, prepared by a committee of Turkish bureaucrats without any contribution by the non-Muslim communities, is regarded with great apprehension by the minorities, for it is considered a vehicle of legitimizing a large proportion of illegally confiscated and expropriated minority pious properties.

- Systematic efforts to undermine the religious and ethnic character of the Greek Orthodox minority schools has led to the "turkification" of the Greek-language schools still in operation in Istanbul with their pupils finding it increasingly difficult to converse or write in their mother-tongue.

- The almost disappearance of the 7,000-strong local Greek Orthodox population of Imbros and Tenedos, whose presence on the islands was guaranteed with Article 14 of the Treaty of Lausanne. A repressive "island regime" imposed in the 1960s led to:

- a) massive expropriation of agricultural land owned by these farming island communities,
- b) closing down of Greek language schools, which were duly expropriated,
- c) establishment of an open agricultural prison, and
- d) confiscation of church and communal lands.

Today there are 220 Greek Orthodox left in Imbros and 22 elderly in Tenedos, while thousands of mainland Turks were settled on the islands since the late 1960s. Recently enacted laws (like the one euphemistically named "protection of the cultural and natural wealth and monuments of Turkey") and a new land registry aim at depriving the remaining Greek Orthodox-owned communal and private property.

- Prolonged pressure, both on personal and communal levels, imposed on the members of the once vibrant and prosperous Greek Orthodox minority of Istanbul, numbering some 125,000 in 1935, forced them to abandon their city and seek better living conditions abroad. Today there are no more than few thousand left in Turkey.

Given the above crucial and vital issues involving the future presence and function of the Ecumenical Patriarchate in its historical seat, where it has been since 381 AD, and because all the issues outlined herewith are directly related to religious freedom and respect of minority rights in Turkey, we urge that the question of the Ecumenical Patriarchate and the presence of Greek Orthodox population of Istanbul, Imbros and Tenedos should constitute special chapter in the EU-Turkish accession negotiations commencing on 3 October 2005.

13. (C) Comment: Reflecting the Ecumenical Patriarchate's uncertain relations with the temporal powers which have been in control since 1453, including the recent exchange with Deputy PM Sahin (ref B), Meliton hesitated when poloff asked if such a document were available. Before calling to request that a staffer bring a copy of the document, he stressed that the Patriarch supported Turkey's EU candidacy during his trip to Brussels, and asked that the document be "held confidentially." The Ecumenical Patriarchate walks a fine

SIPDIS line. On the one hand it presses for its rights by pointing out unjust, discriminatory, and arbitrary aspects in Turkish law and the administration of the law. On the other hand, it seeks to tread in a way which will not give further reason for Turkish bigots on the left and right, among "secularists"

and the "pious," to brand the Patriarchate as a treacherous  
entity. End comment.  
SMITH